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Satoshi Yonehara

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EXAMINER

ARIANI, KADE

ART UNIT

PAPER NUMBER

1651

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b><i>Corrected Notice of Allowability</i></b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/501,291	YONEHARA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	KADE ARIANI	1651

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic interview with Gregory T. Lowen on 05/06/2011.
2. ☒ The allowed claim(s) is/are 1, 2, 4-7, 9-11, 13, 14 and 16-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\* c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date ____.
3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other ____.
/KADE ARIANI/ Primary Examiner, Art Unit 1651	

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***Examiner's Amendments***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

***Telephonic Interview Summery***

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Gregory T. Lowen on May 06, 2011.

***Amendments to the Claims***

Claims 8 and 15 are cancelled.

In claim 1 (line 1) delete "an" and insert --the-- in its place,

In claim 1 (line 1) after protein insert --present in a sample-- and delete "as an analyte".

In claim 1 (line 2) delete "in a sample".

In claim 1 (line 3) delete "adding" and insert --pretreating said sample by adding an amount of a reagent containing a degradation-- in its place, (line 3) delete "for degradation", and (line 3) delete "to the sample".

In claim 1 (line 4) delete "as a pretreatment", (line 4) before free, insert --glycated-- and (line 4) delete "glycated" before present.

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In claim 1 (line 5) before degradation insert --by the action of said--, (line 5) delete "and removed from the sample", (line 5) delete "analyte" and insert --glycated protein-- in its place.

In claim 1 (line 7) after adding insert "an amount of a protease reagent containing--", (line 7) delete "give a degradation product of the analyte remaining in the sample" and insert --degrade said glycated protein remained in the sample and produce a degradation product of the glycated protein-- in its place.

In claim 1 (line 9) after adding insert --an amount of a reagent comprising a measurement-- in its place, (line 9) delete "for measurement",

In claim 1 (line 10) delete "treated with the protease" and insert --after adding said protease reagent-- in its place.

In claim 1 (line 12) delete "an" and insert --the-- in its place.

In claim 1 (line 11) after analyte insert --wherein the redox reaction is conducted in the presence of a solution containing a combination of a tetrazolium compound and sodium azide, said combination of tetrazolium compound and sodium azide being added to the sample at the same time with the protease--.

In claim 1 (line 11) delete "analyte" and insert --of the glycated protein and to generate hydrogen peroxide-- in its place.

In claim 1 (line 13) delete "analyte" and insert --glycated protein present in the sample-- in its place.

In claim 1 (lines 14-17) delete "wherein the redox reaction is conducted in the presence of a tetrazolium compound and sodium azide, the tetrazolium compound and the sodium azide being added to the sample before or at the same time with adding of the protease".

In claim 1 (line 18) delete "wherein the measurement FAOD is added after the adding of the protease to the sample".

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In claim 1 (line 21) insert --generated-- after peroxide.

In claim 4 (line 7) delete "a concentration" and insert --the concentration-- in its place, (line 9) delete "a concentration" and insert --the concentration-- in its place, (line 9) delete "a concentration" and insert --the concentration-- in its place, and (line 11) delete "a concentration" and insert --the concentration-- in its place, and (line 13) delete "a pH" and insert --the pH-- in its place.

In claim 5 (line 1) insert --degradation--, (lines 1-2) delete "caused to act" and insert --which acts-- in its place, (line 2) delete "the glycated" and insert --said glycated free-- in its place.

In claim 5 (line 2) before fructosyl, insert --measurement--.

In claim 5 (line 3) delete "caused to act" and insert --which acts-- in its place.

In claim 6 (line 1) delete "a solution" and insert --said solution-- in its place, (line 1) after containing insert --said mixture of--.

In claim 9 (line 1) delete "used", (line 1) after measuring insert --the amount of a glycated protein present in a sample--, and (lines 1-2) delete "using a redox reaction".

In claim 9 (line 3) delete "a sample" and insert --said sample-- in its place, and (line 3) delete "first" and insert --degradation-- in its place.

In claim 9 (line 5) insert --for degrading said glycated protein-- after protease.

In claim 9 (line 5) insert after --wherein said protease reagent further contains a combination of a tetrazolium compound and sodium azide--.

In claim 9 (line 6) delete "second" and insert --measurement-- in its place.

In claim 9 (line 7) insert --for adding to said sample after said protease reagent-- after substrate.

In claim 9 (line 8) delete "first" and insert --degradation-- in its place.

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In claim 9 (lines 8-9) delete "a degradation of a free amino acid that is glycated" and insert --degrading a glycated free amino acid--

In claim 9 (line 10) delete "second" and insert --measurement-- in its place.

In claim 9 (line 11) delete "analyte" and insert --glycated protein-- in its place.

In claim 11 (line 1) delete "first" and insert --degradation-- in its place.

In claim 11 (line 3) delete "second" and insert --measurement-- in its place.

In claim 16 (line 1) delete "15" and insert --9-- in its place.

In claim 17 (line 1) delete "reagent" and insert --reagent-- in its place, and (line 3) delete "a concentration" and insert --the concentration-- in its place, and (line 4) delete "a concentration" and insert --the concentration-- in its place

In claim 28 (line 2) insert --degradation-- before fructosyl.

In claim 28 (line 4) delete "a concentration" and insert --the concentration-- in its place.

In claim 28 (line 7) delete "a pH" and insert --the pH-- in its place.

In claim 29 (line 1) delete "15" and insert --9-- in its place, (line 2) delete "reagent" and insert --reagent-- in its place, (line 3) delete "reagent" and insert --reagent-- in its place, and (line 4) delete "reagent" and insert --reagent-- in its place.

In claim 29 (line 4) delete "a concentration" and insert --the concentration-- in its place, (line 5) delete "a concentration" and insert --the concentration-- in its place, (lines 5-6) delete "a concentration" and insert --the concentration-- in its place, (line 7) delete "a concentration" and insert --the concentration-- in its place, (lines 7-8) delete "a concentration" and insert --the concentration-- in its place, and (line 9) delete "a pH" and insert --the pH-- in its place.

In claim 30 (line 2) delete "second" and insert --measurement-- in its place, and (line 6) delete "second" and insert --measurement-- in its place.

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In claim 30 (line 6) delete "a concentration" and insert --the concentration-- in its place, (line 7) delete "a concentration" and insert --the concentration-- in its place, (lines 9-10) delete "a concentration" and insert --the concentration-- in its place, and (line 11) delete "a pH" and insert --the pH-- in its place

In claim 31 (line 3) before free --insert --glycated-- and (line 3) delete "that glycated".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KADE ARIANI whose telephone number is (571)272-6083. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-2720926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KADE ARIANI/  
Primary Examiner, Art Unit 1651